

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Eric R. Bahe, Custodian, CGM Roth
Conversion IRA,

Plaintiff,

-against-

Franklin/Templeton Distributors, Inc.
and William J. Lippman,

Defendants,

-and-

Franklin Balance Sheet Investment Fund,

Nominal Defendant.

Civil Action No.
04-11195 (MLW)

**Motion for Continuance
of Oral Argument**

State of New York)

) ss.:

County of New York)

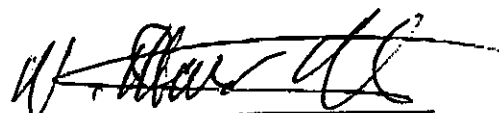
Daniel A. Pollack, being duly sworn, deposes and says:

1. I am Counsel to Defendants Franklin Distributors and William Lippman in this action.
2. Our Motion to Dismiss is scheduled to be heard tomorrow, February 10, at 3:00 p.m.
3. In view of the severe snow warnings in the New York-Boston area for tomorrow, I respectfully request that the oral argument in this action be re-set for any date convenient for the Court in the month of March.

4. No prior request has been made by the undersigned for a continuance.


Daniel A. Pollack

Subscribed and sworn to before me
this 9th day of March, 2004.


Notary Public

W. HANS KOBELT
Notary Public, State of New York
No. 31-4830726
Qualified in New York County
Commission Expires April 18, 2006 